

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF DELAWARE**

<b>IN THE MATTER OF THE PETITION</b>	)	
<b>OF THE PUBLIC SERVICE COMMISSION</b>	)	
<b>STAFF AND DELAWARE DIVISION OF THE</b>	)	
<b>PUBLIC ADVOCATE TO ESTABLISH A</b>	)	
<b>REGULATION FOR DISTRIBUTION</b>	)	<b>PSC DOCKET NO. 18-0935</b>
<b>SYSTEM INVESTMENT PLANS FOR</b>	)	
<b>DELAWARE ELECTRIC AND NATURAL</b>	)	
<b>GAS UTILITIES (Filed July 2, 2018)</b>	)	

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**MOTION OF THE DELAWARE DIVISION OF THE PUBLIC ADVOCATE TO  
EXTEND THE JANUARY 2020 DEADLINE FOR SUBMITTING PROPOSED  
NATURAL GAS DISTRIBUTION SYSTEM PLANNING REGULATIONS TO THE  
DELAWARE PUBLIC SERVICE COMMISSION**

1. On June 14, 2018, Governor John Carney signed into law Senate Substitute No. 1 for Senate Bill 80, which established a Distribution System Improvement Charge (“DSIC”) for electric and natural gas companies in Delaware. While the bill was making its way through the General Assembly, the Commission Staff (“Staff”), the Delaware Division of the Public Advocate (“DPA”), and Delmarva Power & Light Company (“Delmarva”) executed a Memorandum of Understanding (“MOU”) on April 14, 2018 providing that:

Delmarva Power, the Public Advocate and Commission Staff agree to work together to develop a proposal to submit to the Commission concerning enhanced distribution system planning. Delmarva, DPA and Staff will work in good faith to provide recommendations and to submit any proposals for review and approval to the Commission by September 1, 2019. The first meeting will take place by July 31, 2018. In addition, by no later than March 31, 2019, Delmarva, DPA and Staff will provide the Commission with an update on their progress.

Similarly, on May 1, 2018, Chesapeake Utilities Corporation (“Chesapeake”) agreed to participate in the meetings among Delmarva, the DPA and Staff in a good faith effort to recommend to the Delaware Public Service Commission (“Commission”) some form of distribution planning for Chesapeake that will be tied to its DSIC applications.

2. On July 2, 2018, Staff and the DPA jointly filed a petition requesting the Commission to open a docket to examine electric and natural gas utilities' distribution infrastructure spending and establish regulations for distribution system planning to apply to all electric, natural gas, and Class A water utilities.

3. In Order No. 9242 (July 10, 2018), the Commission directed Staff to commence duly-noticed working group meetings for interested electric and natural gas utility stakeholders (including Delmarva and Chesapeake)<sup>1</sup> and to provide recommendations and proposed regulations for the Commission's review and approval by September 1, 2019.

4. On August 13, 2019, the DPA filed an unopposed motion to extend the deadline for submitting proposed electric distribution planning regulations to October 22, 2019, and the deadline for submitting proposed natural gas distribution planning regulations to the date of the Commission's second meeting in January 2020. The Commission granted the requested extensions in Order No. 9444 dated August 20, 2019.

5. The DPA, Staff, Delmarva, and Chesapeake have met since August 20, 2019 to discuss Chesapeake's and Delmarva's natural gas distribution planning and proposed regulations regarding distribution planning. However, despite their best efforts, due to other obligations, the parties will not be able to propose natural gas distribution planning regulations to the Commission by the January 2020 deadline.

6. The DPA therefore requests the Commission extend the deadline for submitting proposed natural gas distribution system planning regulations to April 22, 2020.

7. Staff, Delmarva, and Chesapeake support the DPA's Motion.

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<sup>1</sup> The Commission did not require the Class A water utilities to participate in the working group meetings for purposes of drafting distribution planning regulations.

**WHEREFORE**, the Delaware Division of the Public Advocate respectfully requests the Commission to grant the relief sought, as reflected in the proposed Order attached hereto.

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